

REMARKS

Claims 1-3, 5, 8, 10, 12, 13 and 15-17 were pending in the application. Claim 1 has been amended. Applicant respectfully requests reconsideration in light of the amendments and the following remarks.

CLAIM REJECTIONS UNDER 35 USC §103

The Office Action rejected claims 1-3, 5, 8, 10, 12-13, and 15-17 under 35 USC 103(a) as being anticipated by *Keller* et al. (US Publication 2003/0050849A1) in view of *Otsuka* et al. (US 7,281,251).

As to claim 1, the claim has been amended to add steps of collecting transaction log data in the store nodes and storing data in the enterprise node. These steps were previously expressed in the preamble but are now in the body of the claim. Also the claim now specifies that the transaction log data is a data record of transactions that occur at a retail store. Support for this is found at paragraph [0005] of the specification as shown in Pub. No. US 2005/0234963 A1.

Claim 1 was also amended to clarify that the data conversion is from TLOG to XML. Support for this amendment is found at paragraph [0018] of Applicant's specification. Claim 1 was further amended to correct an inaccuracy in the claim. Specifically, one of the conditions for determining where to convert the data is the network bandwidth implications of converting in the first node as opposed to converting in the enterprise node. The enterprise node was originally called a second node.

The Office Action alleges that *Keller* teaches most of the claim limitations. *Keller*

relates to relates to supplier/reseller interaction. By contrast the claimed invention relates to retail store-enterprise interactions. More specifically, the claimed invention relates to a decision on whether to perform certain data transformations in one of a plurality of store nodes or in the enterprise node. *Keller* is not relevant to the claimed invention because the claimed invention relates to considerations on whether to make the conversion in a retail store node or in an enterprise node and *Keller* does not. Moreover, *Keller* does not disclose making a conversion from transaction log data collected at a retail store to XML.

Further, even of *Otsuka* were combined with *Keller* that combination would not include the foregoing limitations. Claims 2-3, 5, 8, 10, 12-13, and 15-17 are not unpatentable over *Keller* in view of *Otsuka* at least by virtue of their dependence on claim 1.

For the foregoing reasons, Applicant respectfully requests allowance of the pending claims.

Respectfully submitted,

/Michael J. Buchenhorner/

Michael J. Buchenhorner
Reg. No. 33,162

Date: March 2, 2009

Michael Buchenhorner, P.A.
8540 S.W. 83 Street
Miami, Florida 33143
(305) 273-8007 (voice)
(305) 595-9579 (fax)